

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GEORGE A. JACKSON, et al.,)	
)	
Plaintiffs,)	
)	
v.)	C. A. No. 05-823-SLR
)	
STANLEY TAYLOR, et al.,)	JURY TRIAL REQUESTED
)	
Defendants.)	

AFFIDAVIT OF FOOD SERVICE DIRECTOR CHRISTOPHER SENATO

I, Christopher Senato, having been duly sworn by law, do hereby depose and state as follows:

1. I am employed by the State of Delaware Department of Correction ("DOC") as the Director of Food Services for the DOC's Southern region which includes Sussex Correctional Institution ("SCI"), Sussex Violation of Probation Center ("SVOP") and Sussex Work Release. ("SWR"). I have been employed by the DOC since April 1997. Prior to my entry into public service, I worked in the private sector's restaurant industry for many years, with my longest duration of employment encompassing seven years as a cook at a Dover, Delaware restaurant.

2. I oversee the entire food service operation for the Southern region of the DOC. I train Correctional Officers in food service operation. These Correctional Officers ("DOC Food Staff") then train and oversee the inmate kitchen staff. Administratively, I deal with outside vendors and contractors for food, kitchen supplies and equipment, sanitation and safety services. Additionally, my DOC duties include conducting performance evaluations, payroll and scheduling.

3. The SCI kitchen facility is inspected once a year by the State of Delaware Board of Health. SCI kitchen has met the State standards for safety and sanitation according to the criteria established by the Board of Health. Additionally, each DOC institution has its own set of inspectors who can make compliance visits to SCI kitchen at any time. SCI kitchen has always passed inspections during these unannounced visits.

4. Occasionally, the DOC Food Staff hears complaints from inmate kitchen workers regarding the SCI kitchen temperature during certain times of the year. As with some other older buildings at SCI prison, the SCI kitchen can be cold in the winter and warmer during the summer months. However, there have been no recorded medical illnesses due to the temperatures in the kitchen during the winter or summer. Based upon the facility's records and my time working at SCI kitchen from April 1997 to the present, there has never been an instance where an inmate kitchen worker or DOC Food Staff's health was affected due to kitchen temperatures.

5. In the past, some inmates have asked to wear their coats in the kitchen during the winter. These requests were denied because the risk of contamination is too high, particularly when taking into account the SCI kitchen serves more than 3000 meals to the inmate population each day. Furthermore, if the inmates *were* permitted to work at SCI kitchen with their requested outerwear, SCI kitchen would be in violation of the Board of Health regulations.

6. For the majority of time during the two daily kitchen shifts (3 am to 11 am, and 10:30am to 6:30am), the DOC Food Staff works alongside the inmate kitchen staff. However, the DOC Food Staff also has administrative responsibilities. In an office inside the SCI kitchen, DOC Food Staff organizes paperwork which must be completed

at the end of each shift, and tend to other clerical matters. While that office has air conditioning and heat because there is no ventilation between the office and the kitchen, the large majority of time spent by DOC Food Staff occurs on the floor of the SCI kitchen, alongside the inmate kitchen staff, for their training and supervision. In other words, the DOC Food Staff and the inmate workers are exposed to the same temperatures and conditions at SCI kitchen.

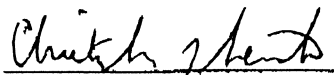
7. The SCI kitchen is thoroughly cleaned after each shift. The inmate kitchen staff is responsible for cleaning the kitchen. There are protocols for cleaning our kitchen to comply with state regulations for safety and sanitation, and these guidelines are strictly followed. Periodic preventive maintenance is also carried out on the heavy kitchen equipment by a state-contracted repair service. SCI maintenance crew performs preventive maintenance on the ventilation exhaust system. For example, replacement fan belts are installed on the hood motors when needed. Also, an outside contractor periodically steam-cleans the hood systems (a ventilation hood is a covered fan system which pulls steam, smoke, odors, etc. from the kitchen).

8. As for pest and vermin control, a state-contracted pest control company inspects and performs preventive maintenance in the SCI kitchen. SCI kitchen maintains Public Health and DOC Inspection Reports on file which reflect no signs of pest infestation.

9. Finally, there are numerous Plaintiffs in this case. Some of these Plaintiffs were not working at the SCI kitchen when inmate George Jackson filed his grievance on the kitchen temperatures in 2005. Therefore, they were not exposed to the conditions that

George Jackson complained of when filing this lawsuit. Attached is a list of all remaining Plaintiffs and their dates of employment at the SCI kitchen. (See Exhibit 1).

10. I have made these statements based upon my personal knowledge, specialized training, and experience as an employee of the Department of Correction.


Christopher Senato

SWORN AND SUBSCRIBED before me this 16th day of May, 2008.


Notary

JUDITH ANN LEDERMAN
NOTARY PUBLIC, STATE OF DELAWARE
My Commission Expires August 28, 2009

EXHIBIT 1:

**List of Current Plaintiffs and their
Dates of Employment at SCI Kitchen**

Charles Blizzard 1/1/02-4/12/06
 SBI #166670
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

John F. Davis 3/29/04-2/2/06
 16513 Coastal Hwy
 Lewes, DE 19958

Jerome Green 10/23/04-1/3/06
 SBI# 147772
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

James Johnson 12/27/01-12/8/02; 1/7/04-7/1/06
 SBI 155123
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Timothy L. Malloy 7/27/05-6/2/06
 SBI #171278
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Howard Parker 11/14/04-10/23/05
 SBI # 165324
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Rique Reynolds 12/27/01-11/26/02
 SBI# 266486
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Darwin A. Savage 7/29/03-8/3/05
 SBI #232561
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Kevin Spivey 3/23/03-7/4/05
 SBI# 258693
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Vernon Truitt 7/16/05-4/10/06, and 10/24/06-present
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Roderick Brown 6/16/05-12/19/05
 SBI# 315954
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Lawrence B. Dickens 1/27/02-10/26/02
 SBI #124570
 Sussex Correctional Center
 P.O. Box 500
 Georgetown, DE 19947

George A. Jackson 12/27/01-6/28/06
 SBI #171250
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Samuel Jones 11/14/04-11/25/05
 SBI# 465297
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Anthony Morris 4/30/04-6/27/06
 SBI# 300363
 Delaware Correctional Center
 1181 Paddock Road
 Smyrna, DE 19977

Eldon Potts 1/28/03-3/8/03; 2/25/05-11/4/05
 SBI# 211193
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Charles B. Sanders 12/27/01-6/14/03; 10/17/07-present
 SBI #160428
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Jose Serpa 12/1/04-3/29/06
 SBI# 350322
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Roger Thomas 2/22/04-2/16/06
 Roger Thomas, Pro Se
 22249 Cabbage Pond Road
 Lincoln, DE 19960

Carl Walker 1/28/03-7/1/06, and 12/2/06-present
 SBI #173378
 SUSSEX CORRECTIONAL INSTITUTE
 P.O. Box 500
 Georgetown, DE 19947

Joseph White 2/22/02-3/17/06

SBI#082985

SUSSEX CORRECTIONAL INSTITUTE

P.O. Box 500

Georgetown, DE 19947

Gilbert Williams 4/23/03-7/2/06

SBI# 137575

SUSSEX CORRECTIONAL INSTITUTE

P.O. Box 500

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Adrain Wright 2/14/03-11/14/05

SBI #169921

SUSSEX CORRECTIONAL INSTITUTE

P.O. Box 500

Georgetown, DE 19947

Frank Williams 4/6/05-10/2/05

SBI #261867

SUSSEX CORRECTIONAL INSTITUTE

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Georgetown, DE 19947

Roy R. Williamson 1/2/02-6/30/06

SBI #291856

SUSSEX CORRECTIONAL INSTITUTE

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Georgetown, DE 19947

Darus Young 4/14/04-7/29/06

SBI# 00282852

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